



03500.012124.36

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
HIROSHI KAJIWARA) Examiner: Wenpeng Cheng
Appln. No.: 09/827,925) Group Art Unit: 2624
Filed: April 9, 2001)
For: IMAGE ENCODING)
BASED ON JUDGEMENT ON)
PREDICTION ERROR : December 16, 2002

The Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION
AND
PETITION FOR EXTENSION OF TIME

Sir:

In response to the Office Action of July 15, 2002, Applicant petitions to extend the time for taking further response to December 15, 2002 (a Sunday). A check in the amount of \$920.00 in payment of the extension fee is enclosed. Please charge any additional fee and credit any overpayment to our Deposit Account 06-1205.

Claims 1-13 are pending in this application. Claims 1, 7-9, 12, and 13 are independent. Applicant notes with appreciation the allowance of Claims 1-13.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on
December 16, 2002
(Date of Deposit)

RAYMOND A. DIPERNA (Reg. No. 44,063)
(Name of Attorney for Applicant)

Raymond A. Diperna
Signature

December 16, 2002
Date of Signature

The Office Action states in paragraph 1 that the objections set forth in the Office Action mailed on October 19, 2001 (Paper No. 5) are maintained until the Patent Office receives (1) the written consent of all assignees owning an undivided interest in the patent, and (2) a form indicating that the assignee has established its ownership interest in the patent for which reissue is being requested.

In Paper No. 5, the application was objected to under 37 C.F.R. § 1.172(a) as lacking the written consent of all assignees owning an undivided interest in the patent. In order to overcome this objection, submitted herewith is a form entitled **Assent of Assignee to Reissue Under 37 C.F.R. § 1.172**, executed by an individual authorized to act on behalf of the Assignee.

Also in Paper No. 5, the application was objected to under 37 C.F.R. § 1.172(a) because the Assignee has not established its ownership interest in the patent for which reissue is being requested. In order to overcome this objection, submitted herewith is a form entitled **Assignee Statement Under 37 C.F.R. § 3.73(b)**, executed by an individual authorized to act on behalf of the Assignee.

In view of the foregoing, it is believed that the requirements set forth in the Office Action have been satisfied, and thus the application is in condition for allowance.^{1/}

1/ Applicant notes that the above mentioned signed forms do not identify the Application No., filing date, Examiner's name, and Group Art Unit (although the Applicant's name and the title are identified, as is the fact that this application is a reissue application of U.S. Patent No. 6,028,963), since those papers were originally prepared before the relevant information became available. The present paper, however, does list all of the identification information.

As such, to even further evidence that the Assignee assents to the present reissue application, new Assignee Statement and Assent of Assignee To Reissue forms executed by a person authorized to act on behalf of the Assignee, and bearing all of the appropriate identifying information, will be submitted in this application shortly.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

Raymond A. D'Amico
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